

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>DAVID DE GROOT,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>-vs-</b>	)	<b>No. 08 C 1167</b>
	)	
<b>SUBURBAN BANK &amp; TRUST CO. and SUBURBAN BANK &amp; TRUST 401(k) PROFIT SHARING PLAN,</b>	)	<b>Judge Samuel Der-Yeghiayan Magistrate Judge Maria G. Valdez</b>
	)	
<b>Defendants.</b>	)	

**NOTICE OF MOTION**

TO: Mark D. Debofsky  
Daley, Debofsky & Bryant  
55 West Monroe, Suite 2440  
Chicago, Illinois 60602

PLEASE TAKE NOTICE that on Thursday, July 24, 2008 at 9:00 a.m., or as soon thereafter as counsel may be heard, we shall appear before the Honorable Samuel Der-Yeghiayan, or any judge sitting in his stead, at 219 South Dearborn, Room 1903, Chicago, Illinois, and shall then and there present the attached DEFENDANT'S MOTION TO FILE REPLY BRIEF, INSTANTER, acopy of which is hereby served upon you.

Dated: July 21, 2008

Respectfully submitted,

SUBURBAN BANK & TRUST CO. and  
SUBURBAN BANK AND TRUST 401(k)  
PROFIT SHARING PLAN

By: s/ Michael J. Scotti, III  
One of their attorneys

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**DAVID DE GROOT,**

**Plaintiff,**

**-VS-**

**SUBURBAN BANK & TRUST CO.  
and SUBURBAN BANK & TRUST  
401(k) PROFIT SHARING PLAN,**

**Defendants.**

**No. 08 C 1167**

**Judge Samuel Der-Yeghiayan**  
**Magistrate Judge Maria G. Valdez**

## CERTIFICATE OF SERVICE

I, Michael J. Scotti, III, an attorney, certify that, on July 21, 2008, true and correct copies of the foregoing Notice of Motion, Motion for Leave To File Reply Brief, Instanter and Defendants' Reply In Support of its 12(b)(6) Motion to Dismiss were transmitted to and served upon counsel for Plaintiff, named below, by way of the Court's Electronic Filing System, pursuant to Local Rule 5.9.

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55 West Monroe, Suite 2440  
Chicago, Illinois 60602  
Counsel for Plaintiff

s/ Michael J. Scotti, III